

generating one or more electronic funds transfer messages transferring funds for a payor and a payee using bill data received from the payee, the stored payee information for the payee, and/or the stored payor information for the payor, the date of the transfer for at least one bill being determined absent payor intervention based on at least one of bill data for the bill, stored payor information and stored payee information, without regard to due dates of bills of other payees.

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could

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Remarks

The claims presently in the application relate to automatic determination of the date of a payment, based upon "bill data" received from a payee via a "payee communications interface".

The Examiner's rejection, is based upon the Lawlor patent as a primary reference. Lawler, however, shows a system in which a payor can cause periodic payment of a bill, by entering an amount, date, and payee name into a central system. It is the Examiner's view that Lawlor meets the recitations of the claims, despite the fact that Lawler relies upon a payor to enter payment information. Apparently, it is the Examiner's view that when a payor in the Lawlor system inputs data received by the payor, in the form of a bill from the payee, the payor is

delivering to the Lawlor system "data from a payee", through a "payee communications interface".

Applicant disputes this reading of the claims, in that the "payee communications interface" can only be read as an interface to a payee, not a payor. Nevertheless, for further clarity in the claim language, Applicant has amended the independent apparatus claim 42 to recite that the "payee communications interface" receives information that is "electronically delivered" from the payee to the bill paying system. Method claim 74 has been amended to recite that the information is "electronically delivered" to the entity performing the method. Applicant submits that this language cannot be interpreted to describe a payor-based, essentially manual system as is described by Lawlor, as in such a system information would not be electronically delivered from the payee to the system.

The Examiner's rejections of dependent claims each assume that the language of the independent claims regarding receipt of information from a "payee communications interface", is met by Lawlor. As that assumption is not correct and the rejection of the independent claims based upon Lawlor is not sustainable, Applicant submits that all claims are allowable.

For the sake of brevity, therefore, Applicant will not review the objections to the application of other references to the claims.

If any petition for extension of time is necessary to accompany this communication, please consider this paper a petition for such an extension of time, and apply the appropriate extension of time fee to Deposit Account 23-3000. If any other charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,



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Version With Markings to Show Changes Made

42. (Amended) A bill paying system, comprising  
storage for payee information,  
storage for payor information, the payor information  
identifying one or more payees authorized by the payor to receive  
transfers of funds from the payor, and including control  
parameters defining the manner in which transfers of funds are to  
be performed,

a payee communications interface receiving for use by the  
system, bill data electronically delivered from a payee to the  
bill paying system,

a funds transfer interface generating one or more electronic  
funds transfer messages transferring funds for a payor and a  
payee using bill data received from the payee, the stored payee  
information for the payee, and/or the stored payor information  
for the payor,

the date of the transfer for at least one bill being  
determined absent payor intervention based on at least one of  
bill data for the bill, stored payor information and stored payee  
information, without regard to due dates of bills of other  
payees.

74. (Amended) A bill paying method, comprising  
storing payee information,  
storing payor information, the payor information identifying  
one or more payees authorized by the payor to receive transfers  
of funds from the payor, and including control parameters  
defining the manner in which transfers of funds are to be  
performed,

receiving for use, bill data electronically delivered from a  
payee to the entity performing the method,

generating one or more electronic funds transfer messages  
transferring funds for a payor and a payee using bill data  
received from the payee, the stored payee information for the  
payee, and/or the stored payor information for the payor,

the date of the transfer for at least one bill being  
determined absent payor intervention based on at least one of  
bill data for the bill, stored payor information and stored payee  
information, without regard to due dates of bills of other  
payees.